

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: DIET DRUGS (PHENTERMINE/ FENFLURAMINE/DEXFENFLURAMINE) PRODUCTS LIABILITY LITIGATION	:	MDL DOCKET NO. 1203
THIS DOCUMENT RELATES TO:	:	
SHEILA BROWN, et al.	:	NO. 99-20593
v.	:	
AMERICAN HOME PRODUCTS CORPORATION	:	
THIS DOCUMENT RELATES TO:	:	
Claimant: Linda O. Smith	:	
Claim No.: 183/00 8240345	:	2:15 MD 1203

**PRETRIAL ORDER NO. 9388**

AND NOW, this ~~13<sup>th</sup>~~ day of January, 2015, for the reasons  
set forth in the accompanying Memorandum, it is hereby ORDERED that:

(1) the September 13, 2014 Report and Award of the  
Arbitrator of the appeal of Linda O. Smith is AFFIRMED with respect  
to the finding and conclusion that the November 7, 2001 e-mail of  
the AHP Settlement Trust constituted a denial of Ms. Smith's claim  
for Matrix Benefits;

(2) the findings and conclusions of the Arbitrator are  
otherwise REVERSED; and

(3) the matter is REMANDED to the AHP Settlement Trust to conduct the appropriate audit based upon the December 2001 echocardiogram and other documentation submitted by Ms. Smith.

BY THE COURT:

  
J.